

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

08-1701  
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BOX SE

Attorney Docket No. 35718/236392 (5718-113)

First Inventor or Application Identifier: Tarczynski et al.

Title of Invention: METHODS AND COMPOSITIONS FOR  
MODIFYING OIL AND PROTEIN CONTENT IN PLANTS

Express Mail Label No. EL868638019 US

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JC997 U.S. PTO  
09/930906  
08/16/01  
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ADDRESS TO: **BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Mitchell C. Tarczynski; Changjiang Li

Assignee of this invention is Pioneer Hi-Bred International, Inc.

1.  The Filing Fee has been calculated as shown below:
2.  Applicant claims Small Entity Status. See 37 CFR 1.27.

| No. Filed   | No. Extra          | Small Entity<br>Rate | Fee 0      | Large Entity<br>Rate  | Fee 0        |
|---|--------------------|----------------------|------------|-----------------------|--------------|
| <b>BASIC FEE</b>  |                    |                      | <b>\$0</b> |                       | <b>\$710</b> |
| <b>TOTAL CLAIMS:</b>  | <b>26 - 20 = 6</b> | <b>X 9 = \$0</b>     |            | <b>x 18 = \$108</b>   |              |
| <b>INDEP CLAIMS:</b>  | <b>6 - 3 = 3</b>   | <b>X 40 = \$0</b>    |            | <b>x 80 = \$240</b>   |              |
| <b>[<input type="checkbox"/>] MULTIPLE DEPENDENT CLAIMS<br/>PRESENTED</b>           |                    | <b>+135 = \$</b>     |            | <b>+270 = \$</b>      |              |
| <b>*If the difference in Column 1 is less than zero,<br/>enter "0" in Column 2.</b> |                    | <b>TOTAL \$</b>      |            | <b>TOTAL \$ 1,058</b> |              |

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a.  Fees required under 37 CFR 1.16 (National filing fees).
- b.  Fees required under 37 CFR 1.17 (National application processing fees).
- A check in the amount of \$ 1,058 for the filing fee is enclosed.
- The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3.  Specification; Total Pages 56
4.  \_\_\_\_\_ Sheets of Formal Drawing(s) (35 USC 113)
5.  Declaration and Power of Attorney; [Total Pages       ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a.  Computer Readable Copy (CRF)
- b.  Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05
- c.  Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  Paper (18 Pages)
- d.  Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)  
10.  37 CFR 3.73(b) Statement (*when there is an assignee*);  Power of Attorney  
11.  English Translation Document (*if applicable*)  
12.  Information Disclosure Statement (IDS)/PTO-1449; \_\_\_ Copies of IDS Citations  
13.  Preliminary Amendment  
14.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)  
15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
Foreign Priority is  
16.  Request and Certification for Non-publication under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant **must** attach form PTO/SB35 or its equivalent.  
17.  Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  
18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below  
and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**  
 Continuation     Divisional     Continuation in Part (CIP)  
of prior Application No: \_\_\_; Filed \_\_\_

Prior Application Information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS **CUSTOMER NUMBER 00826**

Signature: 

Attorney of Record: W. Murray Spruill

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Date of Deposit August 16, 2001

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Sheree T. Edington  
RTA01/2101730v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Tarczynski et al. Confirmation No.: To be assigned  
Appl. No.: To be assigned  
Filed: August 16, 2001  
For: METHODS AND COMPOSITIONS FOR MODIFYING OIL  
AND PROTEIN CONTENT IN PLANTS

**STATEMENT IN SUPPORT OF FILING A**  
**SEQUENCE LISTING UNDER 37 CFR § 1.821(f)**

Commissioner for Patents  
Washington, DC 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted concurrently herewith in accordance with 37 CFR § 1.821(c) and (e), are the same.

Respectfully submitted,



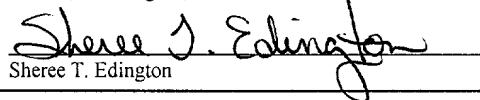
W. Murray Spruill  
Attorney for Applicant  
Registration No. 32,943

**Customer No. 00826**

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Sheree T. Edington

|  |                      |  |
|--|----------------------|--|
| <b>REQUEST AND<br/>CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | Tarczynski et al.  |
|  | Title                | METHODS AND COMPOSITIONS FOR<br>MODIFYING OIL AND PROTEIN<br>CONTENT IN PLANTS |
|  | Atty Docket Number   | 35718/236392 (5718-113)  |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8-16-01

Date



Signature

W. Murray Spruill

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

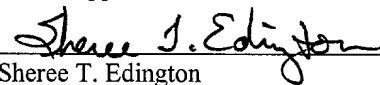
Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

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Date of Deposit August 16, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.



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RTA01/2101747v1